THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.16911 OF 2007

DATED 14th AUGUST 2007

BETWEEN:

Athmakuri Poshamma

… Petitioner

AND

The Revenue Divisional Officer, Mancherial, Adilabad District and another.

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.16911 OF 2007

ORDER:

The petitioner is statedly belonging to Scheduled Caste. It is alleged that her husband was assigned land to an extent of Acs.2.20 guntas in survey No.309 situated at Gudipeta Village of Mancherial Mandal in Adilabad District, vide Patta Certificate dated 18.09.1974, and that he was in possession of land. After death of her husband in 2001, she has been in possession of the land and her name is also found in revenue records like Pahanis. It is alleged that respondents are trying to dispossess the petitioner so as to allot the land to those persons who are displaced by the Irrigation Project, by name, Sripada Rao Project. Therefore, she filed the instant writ petition.

The petitioner has placed relevant evidence before this Court in support of the contention that the land was assigned to her husband and that she is in possession of the land. Therefore, even if the land is to be taken possession for the purpose of assignment to others, respondents should consider whether it is permissible to resume the land from petitioner, who is herself a landless poor person belonging to Scheduled Caste. The respondents should also consider whether it is absolute necessary to dispossess her. In any event, the petitioner cannot be dispossessed without any notice.

The writ petition, with the above observations, is disposed of. No costs.

(V.V.S.RAO,J)

14.08.2007.
pln